IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,   :   CIVIL ACTION
                             :

          Plaintiff,   :

                             :

          v.   :   NO. 08-03381

                             :

ROCKY MOUNTAIN HOLDINGS, INC., :
DIMELING, SCHREIBER & PARK, L.P., :
DIMELING, SCHREIBER & PARK   :
REORGANIZATION FUND, L.P.,   :

                             :

          and   :

                             :

DUPONT CONOCO PRIVATE MARKET :
GROUP TRUST,   :

                             :

          Defendants.   :

ORDER

        AND NOW, this *10ᵗʰ* day of *March*, 2011, upon consideration of (1) the Motion

for Summary Judgment by Plaintiff the United States of America (Docket No. 49); (2) Defendant

Dupont Conoco Private Market Group Trust's Response in Opposition to Plaintiff's Motion

(Docket. No. 53); (3) Plaintiff's Reply Memorandum in Support of its Motion for Summary

Judgment (Docket No. 54); (4) Defendant's Motion for Summary Judgment (Docket No. 50); (5)

Plaintiff's Response in Opposition to Defendant's Motion (Docket No. 52); (5) Defendant's

Reply Memorandum in Support of its Motion for Summary Judgment (Docket No. 55); (6)

Plaintiff's Objection to and Motion to Strike Exhibit 3 of Dupont's Reply in Opposition to

Plaintiff's Motion for Summary Judgment (Docket No. 56); (7) Defendant's Cross-Motion to

Disregard and/or Strike and Response in Opposition to Plaintiff's Motion to Strike (Docket No.

57) and accompanying Memorandum of Law in Support of its Cross-Motion (Docket No. 58);

and (8) Plaintiff's Response in Opposition to Defendants' Cross-Motion to Strike (Docket No.

59), it is hereby **ORDERED** that:

1. Plaintiff's Motion for Summary Judgment (Docket No. 49) is **DENIED** in its entirety.

2. Defendant's Motion for Summary Judgment (Docket No. 50) is **DENIED** in its entirety.

3. Plaintiff's Objection to and Motion to Strike Exhibit 3 of Dupont's Reply Memorandum in Opposition to Plaintiff's Motion for Summary Judgment (Docket No.56) is **DENIED.**

4. Defendant's Cross-Motion to Disregard and/or Strike (Docket No. 57) is **DENIED.**

It is so **ORDERED**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.